United Nations A/56/942

General Assembly

Distr.: General
13 May 2002

Original: English

Fifty-sixth session
Agenda item 21 (c)
Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Council of Europe

Letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

I have the honour to recall the 110th session of the Committee of Ministers of the Council of Europe, which took place in Vilnius on 2 and 3 May 2002 under the chairmanship of Mr. Antanas Valionis, Minister for Foreign Affairs of the Republic of Lithuania. During this event, Ministers concentrated their discussion on the issues of international action against terrorism and the contribution of the Council of Europe. Great importance was also attached to the necessity of effective regional cooperation.

With this regard, I have the honour to submit herewith the texts of the communiqué of the 110th session of the Committee of Ministers (annex I), the Vilnius Declaration on Regional Cooperation (annex II) and the Conclusions of the Chair (annex III). I would be grateful if the text of the present letter and its annexes were to be distributed as a document of the fifty-sixth session of the General Assembly, under agenda item 21 (c), Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Council of Europe.

(*Signed*) Gediminas **Šerkšnys**
Ambassador
Permanent Representative of the Republic of Lithuania
to the United Nations

02-37974 (E) 230502

Annex I to the letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

[Original: English and French]

Communiqué of the 110th session of the Committee of Ministers

Vilnius, 3 May 2002

The Council of Europe confirms its commitment to international action against terrorism and stresses the importance of regional cooperation in consolidating democratic stability in Greater Europe

At their 110th Session (Vilnius, 3 May 2002), under the chairmanship of Antanas Valionis, Minister for Foreign Affairs of Lithuania, the Ministers concentrated their discussion on the following subjects:

I. International action against terrorism - the contribution of the Council of Europe

The Ministers assessed progress in the work carried out with regard to the three cornerstones which they had defined for the Council of Europe contribution to international action against terrorism: intensifying legal cooperation to combat terrorism, safeguarding fundamental values and investing in democracy. On this basis, they agreed on a number of guidelines for future action.

From the outset, the Ministers reiterated that States had an obligation to protect their populations against all forms of terrorism. The main contribution of the Organisation is to strengthen the legal basis of counter-terrorist measures, while fully respecting human rights and complying with the demands of democracy and the rule of law, as well as to help eradicate the roots of terrorism by fighting discrimination, intolerance and extremism and promoting multicultural and inter-religious dialogue.

The Ministers took note with satisfaction of the first report of the Multidisciplinary Group on international action against Terrorism (GMT) set up last November. They expressed their political will that efforts be sustained in the areas identified by the GMT, including the strengthening of international cooperation, through the updating of the 1977 European Convention on the suppression of terrorism.

The Ministers reaffirmed their support for the Organisation's efforts to combat terrorism, in particular through examining the possibility of setting up a specific follow-up mechanism to the Council of Europe's action in this field.

Accordingly, they instructed the GMT to prepare a draft protocol to the European Convention on the suppression of terrorism, and noted that a new report will be submitted to them for their next session.

The Ministers welcomed the work on draft guidelines on human rights and the fight against

terrorism, which is being carried out by the Steering Committee on Human Rights (CDDH). These are to be finalised by the latter in June 2002 and will lay down the principles to be observed by the member States and all States intending to respect human rights and the rule of law in the struggle against terrorism.

The Ministers recalled that the general principle that underlies these guidelines is that respect for human rights is not an obstacle to the fight against terrorism. The obligation for States to protect the fundamental rights of everyone within their jurisdiction against terrorist acts, in particular the right to life, requires them to take efficient measures to fight against terrorism. These measures must however be reasonable and proportionate, and require striking a balance between the obligation to take protective measures against terrorism and the obligation to protect and defend human rights and fundamental freedoms.

The Ministers noted the additional contribution made in the field of prevention and eliminating the causes of terrorism. This included the Council of Europe's work to foster greater social cohesion and pay more attention to cultural and religious diversity, with full respect on all sides for the fundamental values of democracies. The Ministers called for efforts to develop pilot schemes aimed at multicultural and inter-religious dialogue at different levels (north-south, transfrontier, regional and local). They confirmed their interest in programmes geared to better control of migratory flows and integration of migrants, whose fundamental rights must be safeguarded.

The Ministers also welcomed the concerted action carried out - parallel to intergovernmental work - in the field of interparliamentary cooperation. In this respect, particular reference was made to the recent Interparliamentary Forum in St Petersburg, organised on the joint initiative of the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States and the Parliamentary Assembly of the Council of Europe, in cooperation with the Parliamentary Assembly of the OSCE and the European Parliament. The Ministers stressed that the support of populations, through their elected representatives, is indispensable.

Lastly, the Ministers expressed their firm belief that the fight against terrorism can be well served by strengthening regional cooperation in this respect.

II. Regional co-operation: its impact on stability and democratic reforms in Europe

The Ministers examined ways and means of strengthening cooperation between the Council of Europe and regional mechanisms with a view to taking greater advantage of their capabilities in enhancing the ideals and standards of the Council of Europe through cooperation within their own structures.

At the close of the discussion, the Ministers adopted the Vilnius Declaration on "Regional Co-operation and the Consolidation of Democratic Stability in the Greater Europe". The Declaration emphasises the role regional co-operation can play in the building of a Greater Europe without dividing lines.

The Ministers also agreed on a number of areas in which closer cooperation and synergy between the Council of Europe and regional mechanisms could be particularly fruitful. They invited the Secretary General to convene a working meeting of these bodies in Strasbourg, as a follow-up to the Session.

They encouraged initiatives aiming at developing regional co?operation in those parts of Europe where such co-operation does not yet exist and could be particularly useful in providing for constructive approaches among the countries concerned. In this context, they called on for the removal of existing obstacles to such cooperation.

The Ministers decided to transmit this Communiqué and the Vilnius Declaration to the United Nations and the OSCE.

Annex II to the letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

Vilnius Declaration on regional cooperation

Bearing in mind the statutory aim of the Council of Europe, which is to achieve a greater unity between its members across the continent on the basis of their common commitment to pluralist democracy, respect for human rights and the rule of law;

Convinced that regional co-operation between European countries can make an essential contribution to the building of a Greater Europe without dividing lines, encompassing all the countries on the continent, as advocated by the Committee of Ministers' Budapest Declaration (7 May 1999);

Recalling also the Declaration on transfrontier cooperation in Europe adopted by the Committee of Ministers on the occasion of the 40th Anniversary of the Council of Europe;

We, the Ministers of Foreign Affairs of the member states of the Council of Europe, meeting in Vilnius for our 110th session and having discussed the achievements of a number of regional co-operation mechanisms;

Stress the importance of regional co-operation as a factor for consolidating democratic stability in various parts of the European continent;

Underline that, according to the particular situation of the countries involved and their common aims, regional co-operation helps to implement the Council of Europe's founding principles of pluralist democracy, human rights and the rule of law at grass-roots level, by:

-promoting the Council of Europe's values and standards on a day-to-day basis;
-strengthening the protection of national minorities while respecting the territorial integrity of states;
-transforming borders into lines of contact thus facilitating exchanges between peoples;
-promoting mutual understanding and cultural co-operation;
-encouraging good neighbourly relations and mutual trust;
-fostering social and economic development;

Call for the regional dimension of the Council of Europe's co-operation programmes to be reinforced in the regions regarded as priorities by the Organisation, building on the results already achieved in the Council's areas of responsibility;

Express our support for efforts to develop regional cooperation wherever a need for such cooperation exists;

Encourage member states, in view of the experience acquired by regional co-operation mechanisms, to reinforce this co-operation, especially with regard to the following:

-awareness-building in the spheres of human rights, protection of minorities, confidence-building measures and education;
-freedom of the media;
-more advanced integration processes and the resulting opportunities for all member states;
-transborder activities by civil society to promote pluralist democracy;
-transfrontier co-operation between local and regional authorities and the setting up and development of Euro-regions;
-cross-border harmonisation of the conditions governing social and economic development, trade and investment, as well as improvements to infrastructure and conservation of the natural and cultural heritage;
-freedom of movement and contacts between people, especially youth;
-education and health protection;
-justice and law enforcement, including the fight against organised crime and corruption, trafficking in human beings and illegal migration;
-co-operation against terrorist activities while respecting human rights and fundamental freedoms;

Agree to promote coherence between the activities of the Council of Europe and those of the various regional co-operation mechanisms, as well as the sharing of their experience and results;

To that end, invite the Secretary General of the Council of Europe to convene a working meeting of representatives of regional co-operation mechanisms with representatives of the Council of Europe and other European institutions and organisations, in order to:

-exchange and compare information on regional activities and projects;

-identify common methods and aims for effective interaction;

-discuss possible joint projects in specific areas;

-lay down guidelines for the exchange of information and for co-operation between their secretariats or representatives in the planning and implementation of programmes;

-gather information on the Council of Europe's experience and achievements and contribute to ongoing or planned activities of relevance to them;

-make proposals regarding future co-operation.

Annex III to the letter dated 9 May 2002 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General

Conclusions of the Chair

1. Under the chairmanship of Antanas Valionis, Minister of Foreign Affairs of Lithuania, the Committee of Ministers held its 110th session in Vilnius on 2-3 May 2002, with two main topics on its agenda: the Council of Europe's contribution to international action against terrorism and the impact of regional co-operation on stability and democratic reform in Europe.
2. The discussion on **international action against terrorism** was held on the basis of a report by the Secretary General (SG/Inf(2002)19), assessing the activities carried out by the Council since the last ministerial session in November 2001. It was introduced by statements by Louis Michel, Minister of Foreign Affairs of Belgium, Franz Von Däniken, State Secretary for Foreign Affairs of Switzerland, and Zlatko Lagumdžija, Minister of Foreign Affairs of Bosnia and Herzegovina, who outlined progress in the three areas of action (intensifying legal co-operation to combat terrorism, safeguarding fundamental values and investing in democracy) which the Ministers had defined for the Council of Europe six months previously. The President of the Parliamentary Assembly, Peter Schieder, and the Commissioner for Human Rights of the Council of Europe, Alvaro Gil-Robles, also contributed to the discussion.
3. In this context, on the basis of the first report of the Multidisciplinary Group on Terrorism (GMT), the Ministers expressed their political will to eliminate as far as possible the obstacles to international co-operation against terrorism, in particular through the re-examination of reservations by member states in the application of the relevant legal instruments and the updating of the 1977 European Convention on the Suppression of Terrorism, while calling for the introduction therein of a clause authorising - in accordance with the case-law of the European Court of Human Rights - the refusal to extradite to a country where there is a risk of applying a death sentence. They also affirmed their will to promote the efforts of the Council of Europe to combat the financing of terrorism, to strengthen legal co-operation and the training of professionals, and to intensify exchanges of information.
4. The discussion on **regional cooperation** and its impact on stability and democratic reform in Europe was introduced by Antanas Valionis. The Chairman's introduction was followed by presentations from Evgueni Goussarov, Deputy Minister of Foreign Affairs of the Russian Federation (on behalf of the Council of Baltic Sea States), Anatoli Zlenko, Minister of Foreign Affairs of Ukraine (on behalf of the Black Sea Economic Cooperation Council), Slobodan Casule, Minister of Foreign Affairs of "the former Yugoslav Republic of Macedonia" (on behalf of the Central European Initiative), Luan Hajdaraga, Deputy Minister of Foreign Affairs of Albania (representing the new Chairmanship of BSEC and the previous Chairmanship of SEECP), and Goran Svilanovic, Minister of Foreign Affairs of the Federal Republic of Yugoslavia (on behalf of the South-Eastern Europe Cooperation Process). Mary Robinson, the United Nations High Commissioner for Human Rights, Llibert Cuatrecasas, the President of the Congress of Local and Regional Authorities of Europe, and Jan Kubis, Secretary General of the OSCE, also contributed to the discussion.
5. As part of the preparatory work for the session, exchanges of views had been held, at the level of Ministers'Deputies, with representatives of the Central European Initiative (CEI), the South-Eastern Europe Co-operation Process (SEECP) and the Black Sea Economic Co-operation Council (BSEC), on 1 March 2002, and with a high-level delegation from the Council of Baltic

Sea States (CBSS) on 22 March 2002. This preparatory work laid down the basis for further development in the interaction between the Council of Europe and regional cooperation mechanisms.

6. Following the discussion, the Ministers adopted the Communiqué of the Session, containing the participants' main conclusions with regard to the two topics mentioned above, as well as the "Vilnius Declaration on regional cooperation and the consolidation of democratic stability in Greater Europe".

7. The Ministers also adopted the **Convention on Contact concerning Children** (CM(2002)67) and Addendum), with a view to its opening for signature on 14 October 2002 in Strasbourg, at the 6th European Conference on family law.

8. In the context of the Session, the Ministers also:

- held an exchange of views with the Secretary General of the League of Arab States, Amre Moussa (which focussed mainly on international action against terrorism and the situation in the Middle East) and discussed the possible holding of a Third Summit of the Council of Europe, at their informal meeting on the evening of 2 May, at the invitation of the Secretary General Walter Schwimmer. In this context, the Ministers noted that a report would be prepared by their Deputies for a possible decision on the principle, theme(s), host country and timetable of such a Summit, at their 111th Session in November 2002;
- opened for signature **Protocol No. 13 to the European Convention on Human Rights on abolition of the death penalty in all circumstances**, on the morning of 3 May. This protocol, which marked a new stage in the Council of Europe's fight to secure universal abolition of the death penalty, was signed by 36 member states.

9. The 110th Session also gave Ministers an opportunity to assess recent developments in the Council of Europe. In particular, the Ministers:

- welcomed the **accession of Bosnia and Herzegovina** as the 44th member of the Council of Europe, on 24 April 2002, and the first participation of the country's Foreign Affairs Minister as a full member of the Committee of Ministers. In this context, the Ministers recalled the decisions taken in connection with this accession, namely the setting-up of a procedure for monitoring the commitments entered into by Bosnia and Herzegovina and the implementation of a post-accession assistance programme, and instructed their Deputies to ensure that these decisions were put into effect;
- were pleased to note the progress made by the **Federal Republic of Yugoslavia (Serbia-Montenegro)** towards accession to the Council of Europe, while expressing the hope that the country would be able - once the necessary conditions were met and once the Parliamentary Assembly had adopted its opinion - to join the Organisation as soon as possible;
- reiterated their concern about recent developments in **Moldova**, while reaffirming their determination - bearing in mind in particular that Moldova was due to chair the Committee of Ministers from May to November 2003 - to continue monitoring the situation in this member state and to provide it with the necessary assistance to enable it to overcome its difficulties;
- were pleased to note the results obtained in implementing the specific procedure for monitoring the commitments entered into by **Armenia and Azerbaijan** on joining the Council of Europe, while at the same time stressing the need for further progress and reaffirming their determination to continue the dialogue conducted with the two member states on this matter;
- noted the efforts of the Lithuanian Chairmanship to address the issue of relations between the Council of Europe and **Belarus**, and stressed that progress will depend on willingness of the

Belarussian authorities to anchor their country in the system of shared values of the Council of Europe;
- expressed their continued support for the Council of Europe's work in restoring the rule of law, respect for human rights and democracy in the **Chechen Republic, Russian Federation**. In this context, the agreement reached on 20 April between the Secretary General of the Council of Europe and the Minister of Foreign Affairs of the Russian Federation with a view to maintaining Council of Europe experts' presence in the region, on the basis of an extended mandate, was welcomed;
- expressed their appreciation of the Council of Europe's action to promote **democratic stability in Greater Europe**, and of the dialogue that it was conducting with member states - and the assistance it was providing - to help them honour their obligations and commitments. Special reference was made in this respect to the high-level visits carried out by the Chair of the Committee of Ministers to "the former Yugoslav Republic of Macedonia" (29-30 November 2001), Moldova (5-6 December 2001), Ukraine (7-8 December 2001), the Russian Federation (14-16 January 2002), Bosnia and Herzegovina (2-5 April 2002) and Armenia, Azerbaijan and Georgia (8-13 April 2002);
- expressed renewed support for the Council of Europe's contribution to the implementation of the **Stability Pact for South-East Europe** and UN Security Council Resolution 1244 on **Kosovo**. In this context, having reaffirmed their appreciation of the results of the observer missions conducted by the Council - at the request of the UNMIK and the OSCE - for the local and general elections in Kosovo in October 2000 and November 2001 respectively, the Ministers agreed in principle that a further mission should be sent to monitor the municipal elections in the autumn of 2002;
- welcomed the initiative taken by the "4L" countries (Latvia, Liechtenstein, Lithuania, Luxembourg) chairmanships to streamline the **Committee of Ministers' monitoring procedure** and instructed their Deputies to give appropriate follow-up;
- noted with satisfaction the progress made in **cooperation between the Council of Europe and the European Union, OSCE and the United Nations**, in particular through the adoption of a Resolution by the UN General Assembly on relations with the Council of Europe (5 December 2001) and a number of high-level contacts both at bipartite level - with the European Union (Brussels, 20 November 2001 and Madrid, 10-11 December 2001) and with the OSCE (Bucharest, 3 December 2001 and Lisbon, 14 February 2002) - and at tripartite level - with the OSCE and the United Nations (Strasbourg, 8 February 2002);
- welcomed the enhanced **cooperation between the Committee of Ministers and its main partners within the Council of Europe**, of which the participation of the President of the Parliamentary Assembly, the President of the Congress of Local and Regional Authorities and the Council of Europe's Commissioner for Human Rights to the 110th Session was a symbol;
- expressed their appreciation of the efforts made by the Chair to strengthen **relations between the Council of Europe and its observer States** (Canada, Holy See, Japan, Mexico and the United States) and looked forward for prospects of closer involvement of these countries in the Council of Europe activities;
- reaffirmed their satisfaction at the entry into force of the Statute of Rome setting up the **International Criminal Court**, while drawing attention to the part played by the Council of Europe - 31 of whose 44 member states had ratified the Statute to date - in this fundamental step forward in the field of international justice;

- were pleased to note the adoption by their Deputies, on 21 February 2002, of the revised statute of the **European Commission for Democracy through Law** (the "Venice Commission") which opens up new prospects for the Commission's future development, and also their positive assessment of the activities carried out by the **Group of States against Corruption** (GRECO) during its initial period of operation, an assessment which served as a basis for their decision, on 18 April 2002, to authorise the GRECO to continue operating on a permanent basis;
- expressed their appreciation of the support provided by the Lithuanian Chair for the Council of Europe's activities by hosting in Vilnius, successively, a regional conference in Vilnius on **transfrontier cooperation** in the context of EU enlargement (21-22 November 2001), a multilateral high-level meeting on European norms and standards with regard to **police ethics** (21-22 March 2002), a conference on **the role and functions of mediators in democratic countries** (5-6 April 2002), the 9th meeting of heads of offices for national minorities (25-26 April 2002) and a high-level conference on **access to an effective public health care system** (26-27 April 2002);
- noted with interest the continuation, through the colloquy held in Strasbourg on 18-19 April 2002 on "Europe tomorrow: shared fate or common political future?", of the reflection on **European identity** conducted by the Secretary General, in cooperation with the four "L" chairmanships.

10. After the session, in the afternoon of 3 May, Lydie Polfer, Minister of Foreign Affairs of Luxembourg, presented the Ministers' Deputies with the **programme of the Luxembourg Chair** of the Committee of Ministers (CM/Inf(2002)21).

11. The 111th Session of the Committee of Ministers will be held in Strasbourg on 6 and 7 November 2002.